



December 8, 2006

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City of Las Vegas Planning and Development Department  
731 S. 4<sup>th</sup> Street  
Las Vegas, Nevada 89101

Attention: Mr. Ben Sticka

Subject: **Water Feature Exemption Request**  
**Boca Park Fountains – Charleston Associates LLC (Acc't. #4866632962)**  
**and Triple Five Nevada Development Corporation (Acc't. #1772542962)**

Dear Mr. Sticka

Please accept this letter as justification for a request for a Water Feature Exemption on a portion of the Boca Park retail center. The portion of the center in question is the Boca Fashion Village, which is located on a 14.69-acre site (APNs 138-32-312-005 and 008) on the east side of Rampart Boulevard, south of Alta Drive. This commercial center has four existing fountain areas that were constructed as part of this commercial development a number of years ago. These fountains have been dry for some time, in conformance with Title 14 of the City of Las Vegas. The applicant now wishes to reactivate these fountains in accordance with Title 14 provisions.

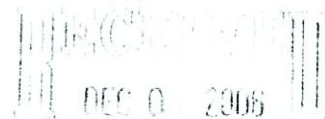
The largest fountain is a circular structure located in a roundabout in the entrance drive from Rampart Boulevard next to the Cheesecake Factory (identified as Fountain 1 on the attached diagram). There is a small crescent-shaped fountain in the same vicinity, in front of the Cheesecake Factory (identified as Fountain 4 on the attached diagram). The other two fountains are located further south on the site in front of the retail outlets. One of these (Fountain 3) is elliptical in shape and the other (Fountain 2) has two levels, the upper one of which is circular, with a small crescent-shaped lower area.

Southern Nevada Water Authority (SNWA) staff has confirmed the measurements of these fountain areas (see attached e-mail dated 12/07/06) as containing a total surface area of 1,354.9 square feet. SNWA staff indicates that the required turf removal ratio of 50:1 (per Title 14) would require removal of 67,745 square feet of turf area.

The provisions of Title 14.11.190 require that a water use reduction plan be provided. This information is shown on the attached site plans, which illustrate that 8,000 square feet of turf area on the subject site will be removed by the applicant, and replaced with drought-tolerant landscaping, prior to City Council approval of this request. At a 50:1 ratio, this amount accounts for 160 square feet of fountain area. This leaves 1194.9 square feet of fountain area where required consumptive use savings cannot be achieved. Subsection D.4 of the above noted Title allows for a cash equivalent of \$10 for each such square foot of fountain area, for a total of \$11,949.00 to be paid by the applicant in order to reactivate these water features. The applicant is willing to pay this fee, as well as the prescribed annual fee, to allow reactivation of these fountains.

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Approval of this request will allow for the re-use of existing water features that contribute positively to the look and feel of this attractive urban development. Additionally, the money contributed will be used to fund the removal of turf by private residential owners in other areas of the Valley. The fees paid, at a 50:1 ratio, will fund the removal of a significant cumulative area of turf in the Valley, and will therefore contribute positively to water conservation efforts by the City and the SNWA. We therefore request your approval.

Thank you for your consideration.

Warm regards,

WRIGHT ENGINEERS

A handwritten signature in black ink, appearing to read 'G. Leobold', written over a horizontal line.

Gary Leobold, AICP  
Director of Planning

Enclosures: Exhibits  
Application and SOFI Forms  
Deed and Legal Information

c. James Grindstaff

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